

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

UNITED STATES OF AMERICA ex rel.
CORI RIGSBY and KERRI RIGSBY

RELATORS/COUNTER-DEFENDANTS

v.

CASE NO. 1:06cv433-LTS-RHW

STATE FARM FIRE AND CASUALTY COMPANY DEFENDANT/COUNTER-PLAINTIFF

and

FORENSIC ANALYSIS ENGINEERING CORPORATION;
HAAG ENGINEERING CO.; and ALEXIS KING

DEFENDANTS

**AGREED ORDER ADDRESSING
[569] MOTION TO QUASH BOSARGE SUBPOENA DUCES TECUM,
ADDRESSING DETMAN [529] SUBPOENA DUCES TECUM
AND ADDRESSING BROWN [532] SUBPOENA DUCES TECUM**

This cause is before the Court on Relators' Motion [569] to Quash Subpoena to Charlene Bosarge [519] and for a Protective Order. Relators and State Farm Fire and Casualty Company ("State Farm") have advised the Court that counsel for Ms. Bosarge represents that Ms. Bosarge is not in possession of any materials responsive to the subpoena, thus potentially rendering Relators' [569] motion moot. Rather than rule on Relators' motion at this point, Relators and State Farm have requested the Court to hold the [569] motion in abeyance and to relieve State Farm of its obligation to respond until such time as set forth below.

Relators and State Farm request that if Ms. Bosarge later determines that she has responsive materials, State Farm and Relators will thereafter promptly notify the Court and all counsel of record, via e-mail. State Farm will then have five days to respond to the [569] motion from the date of such notice.

Relators and State Farm also request this process to apply to [529] subpoena issued by State

Farm to Daniel Detman. Mr. Detman has indicated to State Farm that he does not possess any materials responsive to his subpoena. If Mr. Detman later determines that he has materials responsive to State Farm's subpoena, State Farm and Relators would advise the Court and all counsel of record via e-mail and Relators will thereafter have the right to file a motion to quash the subpoena and for a protective order, within five days of such notice, to which State Farm will have the opportunity to respond within five days thereafter.

Relators and State Farm also request this process to apply to [532] subpoena issued by State Farm to Maria Brown. Ms. Brown has indicated to State Farm that she does not possess any materials responsive to her subpoena. If Ms. Brown later determines that she has materials responsive to State Farm's subpoena, State Farm and Relators would advise the Court and all counsel of record via e-mail and Relators will thereafter have the right to file a motion to quash the subpoena and for a protective order, within five days of such notice, to which State Farm will have the opportunity to respond within five days thereafter.

Considering this is an Agreed Order, this Court FINDS the relief requested by Relators and State Farm to be well-taken.

It is therefore ORDERED that:

1. If Ms. Bosarge determines that she has responsive materials to State Farm's subpoena duces tecum, State Farm and Relators shall thereafter promptly notify the Court and all counsel of record, via e-mail. State Farm will then have five days to respond to the [569] motion from the date of such notice;
2. If Mr. Detman determines that he has materials responsive to State Farm's subpoena duces tecum, State Farm and Relators shall thereafter promptly advise the Court and all counsel of record via e-mail and Relators will thereafter have the right to file a motion to quash the subpoena and for a protective order, within five days of such notice, to which State Farm will have the opportunity to respond within five days thereafter; and

3. If Ms. Brown determines that she has materials responsive to State Farm's subpoena duces tecum, State Farm and Relators shall thereafter promptly advise the Court and all counsel of record via e-mail and Relators will thereafter have the right to file a motion to quash the subpoena and for a protective order, within five days of such notice, to which State Farm will have the opportunity to respond within five days thereafter

SO ORDERED this the 18th day of June, 2010.

s/ Robert H. Walker

UNITED STATES MAGISTRATE JUDGE